IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3433 OF 2006
IN
INCOME TAX APPEAL (L) NO.1903 OF 2006

The Commissioner of Income Tax-3. ..Appellant.
Vs.
M/s. Arandi Pvt. Ltd. ..Respondent.

Mr. P.S.Sahadevan for the Appellant.

CORAM : F.I. REBELLO & R.S. MOHITE, JJ.
DATED : 3RD DECEMBER,2007.

PC :

1. This is a Notice of motion for condoning delay of 642 days in filing the aforesaid income tax appeal. On perusal of the affidavit in support of the Notice of motion, it is seen that after Chief CIT's approval to file the appeal which was granted on 10.12.2004, the matter was sent to the Advocate and thereafter the brief was sent by the Advocate to the panel counsel. The draft of appeal was received from the panel counsel on 5.9.2006. In our opinion, the delay between 10.12.2004 and 5.9.2006 is not satisfactorily explained. Hence, cause shown is not sufficient cause. Hence, Notice of motion stands dismissed.

(R.S. MOHITE, J.) **(F.I. REBELLO, J.)**

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1. As the Notice of Motion for condonation of delay has been dismissed, appeal also stands dismissed. Refund of court fee as per rules. Certified copy expedited.

(R.S. MOHITE, J.) **(F.I. REBELLO, J.)**